

Message Text

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PAGE 01 TEGUCI 02944 202101Z
ACTION ARA-14

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EO 11652 N/A
TAGS: BDIS, HO
SUBJECT: CONGRESSIONAL INTEREST IN THE DEL WEBB CASE

REF: STATE 155645

1. IN VIEW OF INTENDED ACTIONS BY CONGRESSMAN RUDD AND THE GENERAL STEP-UP OF CONGRESSIONAL INTEREST IN THIS CASE AND CONSEQUENT IMPLICATIONS FOR FOREIGN ASSISTANCE APPROPRIATIONS, I HAVE OBTAINED AN APPOINTMENT WITH FONMIN PALMA GALVEZ TO INFORM HIM OF THESE DEVELOPMENTS AND TO REQUEST BOTH A MEANINGFUL STATUS REPORT AND AN EARLY DECISION ON THE CASE. I HAVE PREPARED AN AIDE-MEMOIRE TO HAND TO HIM AT OUR THREE O'CLOCK MEETING, TODAY (COPY FOLLOWS BY SEPTTEL). IN IT I DESCRIBE CONGRESSIONAL INTEREST AND PLANNED ACTIONS IN CONNECTION WITH DEBATE ON FOREIGN ASSISTANCE APPROPRIATIONS. I ALSO EMPHASIZE THE NEED FOR AN EARLY RESOLUTION OF THE CLAIM AND, IN THE INTERIM, INFORMATION ON PROGRESS TOWARD ITS RESOLUTION. I WILL STRESS THAT THE EMBASSY IS NOT ATTEMPTING TO CONVEY PRESSURE FOR A FAVORABLE OUTCOME, BUT, RATHER, TO RELATE CONCERN OVER DELAY IN RESOLUTION OF THE CLAIM.

2. IN THE EVENT THAT THE MINISTRY OF FINANCE HAS BEEN CONSIDERING A FINANCIAL SETTLEMENT IN FAVOR OF DEL WEBB, THERE
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PAGE 02 TEGUCI 02944 202101Z

IS THE RISK THAT THE COMPANY'S EFFORTS TO SECURE CONGRESSIONAL SUPPORT IN THE FOREIGN ASSISTANCE CONTEXT COULD TORPEDO THIS FAVORABLE CONSIDERATION. THE DEPARTMENT NO DOUBT CAN PERCEIVE ADDITIONAL SERIOUS IMPLICATIONS FOR U.S. FOREIGN ASSISTANCE, IN GENERAL, OF THE CONGRESSMAN'S INTENTIONS TO USE THREATS TO INDUCE THE GOH TO ACT ON THE CASE. I PROPOSE, THEREFORE, THAT THE DEPARTMENT CONSIDER DISCUSSING WITH THE

CONGRESSMEN CONCERNED, THE SERIOUSNESS OF THESE IMPLICATIONS.
AS THE DEPARTMENT IS AWARE, THE DEL WEBB CASE IS EXTREMELY
COMPLEX AND, BECAUSE OF ALLEGED SHORTCOMINGS OF THIS CONTRACTOR
IN MEETING ITS OBLIGATIONS IN BUILDING THE TELA-LA CEIBA
HIGHWAY, THE GOH AT LEAST TWICE HAS FORMALLY INFORMED IT THAT
THERE IS NO BASIS FOR THE CLAIM. THE CASE IS AGAIN UNDER
CONSIDERATION ONLY BECAUSE OF GOH WILLINGNESS TO RECONSIDER
FOLLOWING ATTEMPTS BY DEL WEBB LAST YEAR TO RE-OPEN IT.
THUS, THIS MAY NOT BE THE BEST CASE FOR EMPLOYMENT OF THREATS
OF RESTRICTION OF FOREIGN ASSISTANCE.

3. I WILL REPORT IMMEDIATELY BY TELEPHONE AND CABLE THE
RESULTS OF MY CONVERSATION WITH THE FOREIGN MINISTER.
JARAMILLO

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